

Freedom of the Press

Freedom of the press is guaranteed by the 1993 constitution, but local and international media organizations continued to express concern about the use of criminal defamation statutes against journalists and the continued harassment of reporters by both state and nonstate actors in 2013. A merger in the newspaper industry led to further consolidation of Peru's already-concentrated media sector.

Politicians frequently react to criticism, particularly corruption allegations, by suing journalists, press outlets, and activists. Defamation remains a criminal offense that can result in imprisonment, though suspended sentences are more common. In October 2013, two journalists from the newspaper *La Calle* in the city of Ayacucho were sentenced for defamation in separate cases related to their reporting on irregularities in public works projects. Esther Valenzuela Zorrilla, the newspaper's editor, was convicted of defaming Ernesto Molina Chávez, the former president of Ayacucho region. She received a two-year suspended prison sentence and was fined \$9,000. *La Calle* contributor Asencio Canchari Sulca, meanwhile, received a two-year suspended sentence and was ordered to pay \$1,000 after being convicted of defaming Magno Sosa Rojas, a former adviser to the regional government's current president, Wilfredo Ocorima Núñez. In May, Alcides Peñaranda Oropeza, editor of the newspaper and magazine *Integración*, received a two-year suspended sentence and was ordered to pay \$3,700 in civil damages after he reprinted an article from another source alleging that César Álvarez Aguilar, head of the Áncash region in northern Peru, had received protection from local prosecutors. Peñaranda and the manager of *Integración*, Yolanda Quito Camones, also reported receiving threats from people loyal to Áncash government officials. In a positive development, blogger José Godoy was acquitted in April 2013; he was originally convicted of defaming a cabinet minister in 2010, and the case had undergone several levels of appeal.

A controversial bill, proposed by President Ollanta Humala in 2012, that would criminalize the denial of terrorist crimes committed and make violations punishable by 6 to 12 years in prison continued to be debated in Congress in 2013. Human Rights Watch and local and international press groups criticized the law for the stifling effect its vague terms could have on free expression.

Despite the existence of access to information laws, adherence to transparency norms is inconsistent, particularly at the regional and local levels. In December 2012, the government published a legislative decree denying the public access to any information related to national security and defense. Any person who reveals such information could be charged with a criminal offense and punished by up to 15 years in prison. The national ombudsman's office, the Defensoría del Pueblo, submitted a challenge to the decree to Peru's Constitutional Court. The case was still pending at the end of 2013. Additionally, in October Humala signed a new Cybercrime Law, approved by Congress in a closed-door session in September, which press groups worry will undermine transparency and access to information. The law restricts the use of government data by imposing a three- to six-year sentence for people found guilty of intercepting computer information from a public institution. It weakens the most important component of Peru's 2002 transparency law, which allows for the creation of government databases that the public can access to track spending, by establishing a three- to five-year sentence for tracking information via database on any aspect of a person's personal, family, financial, or professional life.

There is no independent media regulatory body in Peru; under the 2004 Radio and Television Law,

broadcast licensing is the responsibility of the Ministry of Transport and Communications. Outright censorship of content is not practiced. However, journalists often experience pressure from government officials, business interests, and media owners to self-censor or limit coverage of sensitive topics.

Physical attacks and threats against media workers continue to create a hostile climate for the press. The National Association of Peruvian Journalists (ANP) reported 131 press freedom violations in 2013, including physical and verbal attacks, threats and harassment, administrative and judicial pressure, and impediments to practicing journalism. Northern Peru continues to be an especially dangerous region for journalists. Topics such as corruption and misuse of state resources, drug trafficking, and mining-related social conflict are considered particularly dangerous to cover. In February, prominent photojournalist Luís Choy Yin Sandoval of the country's leading newspaper, *El Comercio*, was gunned down by a hit man outside his home in Lima, the capital. In June, two men who confessed to accepting \$100,000 for Choy's murder were themselves killed by Peruvian police after escaping from prison. The organizers of the assassination were still at large at year's end.

There were a number of other high-profile attacks on journalists and media outlets in 2013. In January, Nixon Solórzano Bernales, a television host at Channel 25 in the northern Cajamarca region, was stabbed by an assailant who Solórzano had accused of involvement in a domestic violence case. In May in the province of Chiclayo, journalist Jorge Moncada Mino, editor of the daily *El Ciclón* and director of Radio Kaliente, was attacked by two unknown assailants. In July, an explosive device was detonated at the door of Radio Tropicana in the Junín region. Earlier that week, a journalist at the station had during one of his programs discussed an alleged violation of labor regulations by the administration of a local municipality. And in December, attackers detonated an explosive at the home of Edvan Ríos Chanca, a journalist who frequently reported on alleged corruption in the regional government in Junín.

There were also instances in which government officials threatened, harassed, or otherwise interfered with the work of journalists. In July, Fernando Valverde, a journalist who had reported on accusations of domestic violence against the mayor of the town of Llumpa in Áncash, received death threats that caused him to flee to Lima. The owner of Radio La Voz, in the Amazonas region, claimed that the station continued to be subjected to political reprisals by the armed forces for its reporting on a 2009 clash between soldiers and indigenous protesters, including being forced off the air for 14 months.

Impunity for perpetrators of attacks on journalists continues to be a problem. According to the Peruvian Press Council (CPP), the murders of 57 journalists between 1982 and 2011 remain unsolved. However, in a positive development, in August 2013 a magistrate on the National Criminal Court brought a case against Marco Antonio Rivero Huerta, mayor of the Comandante Noel de Casma district in Áncash, and five accomplices for the 2011 murder of journalist Pedro Flores Silva.

The government owns one television network and two radio stations, and operates the print news agency Andina. However, private outlets dominate the media industry, and the audience for state-run media is relatively small. Radio is an important news medium, especially in the countryside, and many incidents of harassment, intimidation, and censorship by media owners are related to radio coverage of local issues. The media corruption that was endemic during Alberto Fujimori's presidency in the 1990s continues to some extent, with journalists occasionally accepting bribes in exchange for slanted coverage.

In August 2013, Peru's largest media group, Grupo El Comercio, purchased a 54 percent stake in Empresa Periodística Nacional S.A. (Erensa), which owns the dailies *Ojo*, *Correo*, *El Bocón*, and *Ajá*. The purchase gives Grupo El Comercio, already the largest media company in the country and the dominant player in the country's print media sector with the *El Comercio* newspaper, a 78 percent share of Peru's newspaper market. Press groups expressed concern that the purchase by Grupo El Comercio, which has been criticized for its politicized news coverage, will negatively affect the diversity of opinion in the country's media. In November, eight journalists, including the editor of *La República*, *El Comercio*'s main

rival, filed suit in the Constitutional Court to block the merger.

In 2013, 39 percent of Peruvians had access to the internet, with no reported government restrictions on users' activity. Web-based media content and social-media use have been steadily increasing in recent years, particularly in the urban areas.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

44

Legal Environment

(0 = best, 30 = worst)

14

Political Environment

(0 = best, 40 = worst)

18

Economic Environment

(0 = best, 30 = worst)

12